



DECLARATION OF PENDING APPLICATION
CONTAINING ADDITIONAL SUBJECT MATTER

KEY'S DOCKET NO.

100/233

I, the below named inventor, hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

that I verily believe that I am the original, first and sole inventor if only one name is listed at 201 below, or a joint inventor if plural

inventors are named below at 201-203, of the invention entitled: **VACCINES BASED ON MEMBRANE**

BOUND PROTEINS AND PROCESS FOR MAKING THEM

which is described and claimed in the attached specification;

that this application in part discloses and claims subject matter disclosed in my earlier filed pending application,

Serial No. 527,917 , filed August 30, 1983 and 547,551 filed October 31, 1983

that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application;
that as to the subject matter of this application which is common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to said earlier application, or in public use or on sale in the United States of America more than one year prior to said earlier application;

that the common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said earlier application; and

as to applications for patents or inventor's certificate on the common subject matter filed in any country foreign to the United States of America, prior to said earlier application by me or my legal representatives or assigns,

☒ no such applications have been filed, or

☐ such applications have been filed as follows:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS PRIOR TO SAID EARLIER APPLICATION

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. 119
None				YES <input type="checkbox"/> NO <input type="checkbox"/>
				YES <input type="checkbox"/> NO <input type="checkbox"/>

ALL FOREIGN APPLICATIONS, IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO SAID EARLIER APPLICATION

None				

that as to the subject matter of this application which is not common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application;
that said non-common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application; and
as to applications for patents or inventor's certificate on the invention filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns,

☒ no such applications have been filed, or

☐ such applications have been filed as follows:

EARLIEST FOREIGN APPLICATION, IF ANY, FILED WITHIN 12 MONTHS PRIOR TO THIS APPLICATION

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
None				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO

ALL FOREIGN APPLICATIONS, IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO THIS APPLICATION

None				

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration no.)

Thomas D. Kiley, Reg. No. 24,910
Walter H. Dreger, Reg. No. 24,190

SEND CORRESPONDENCE TO:

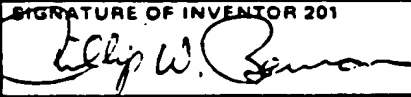
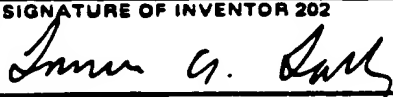
GENENTECH, INC.
460 Point San Bruno Boulevard
South San Francisco, California 94080

DIRECT TELEPHONE CALLS TO:
(name and telephone number)

Walter H. Dreger
(415) 952-1000

201	FULL NAME OF INVENTOR	FAMILY NAME <u>BERMAN</u>	FIRST GIVEN NAME <u>PHILLIP</u>	SECOND GIVEN NAME <u>W.</u>
	RESIDENCE & CITIZENSHIP	CITY <u>San Francisco</u>	STATE OR FOREIGN COUNTRY <u>California CA</u>	COUNTRY OF CITIZENSHIP <u>U.S.A.</u>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <u>1736 Funston</u>	CITY <u>San Francisco</u>	STATE & ZIP CODE/COUNTRY <u>CA. 94122/U.S.A.</u>
202	FULL NAME OF INVENTOR	FAMILY NAME <u>LASKY</u>	FIRST GIVEN NAME <u>LAURENCE</u>	SECOND GIVEN NAME <u>A.</u>
	RESIDENCE & CITIZENSHIP	CITY <u>San Francisco</u>	STATE OR FOREIGN COUNTRY <u>California CA</u>	COUNTRY OF CITIZENSHIP <u>U.S.A.</u>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <u>66 Crestline, #9</u>	CITY <u>San Francisco</u>	STATE & ZIP CODE/COUNTRY <u>CA. 94131/U.S.A.</u>
203	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201 	SIGNATURE OF INVENTOR 202 	SIGNATURE OF INVENTOR 203
DATE <u>March 8, 1984</u>	DATE <u>March 8, 1984</u>	DATE



PATENT

#3
B. Denny
8/30/95

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

This application of:

Examiner:

BERMAN, et al.

Group Art Unit:

Serial No. To Be Assigned

Filed: HERewith

For: VACCINE BASED ON
MEMBRANE BOUND PROTEINS
AND PROCESS FOR
MAKING THEM

POWER OF ATTORNEY TO ASSOCIATE ATTORNEY

Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

Please recognize the following attorneys of Genentech, Inc., 460
Point San Bruno Boulevard, South San Francisco, CA 94080, as associate
attorneys in this application:

Walter E. Buting - Reg. No. 23,092; Ginger R. Dreger - Reg. No.
33,055; Renee A. Fitts - Reg. No. 35,136; Janet E. Hasak - Reg. No.
28,616; Sean A. Johnston - Reg. No. 35,910; Dennis G. Kleid - Reg.
No. 32,037; Jeffrey S. Kubinac - Reg. No. 36,575; Stephen Raines -
Reg. No. 25,912; Richard B. Love - Reg. No. 34,659; Diane L.
Marschang - Reg. No. 35,600; Daryl B. Winter - Reg. No. 32,637;
Timothy Torchia, Reg. No. 36,700

Respectfully submitted,

FLEHR, HOHBACH, TEST,
ALBRITTON & HERBERT


Walter H. Dreger
Registration No. 24,190

Four Embarcadero Center
Suite 3400
San Francisco, Ca. 94111-4187

Dated: 30 May 1995